

REMARKS

I. 35 U.S.C. §112, Second Paragraph, Rejections

The Examiner rejected claims 1, 23, 32, 36-37 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner objects to the term “relative” as being unclear. Applicant respectfully traverses these rejections for the following reasons.

MPEP Section 2173.05(b) states that “the fact that claim language, including terms of degree, may not be precise, does not automatically render the claim indefinite under 35 U.S.C. 112, second paragraph. Acceptability of the claim language depends on whether one of ordinary skill in the art would understand what is claimed, in light of the specification.”

In element (d) of claim 1, a condensed document is created by abbreviating redundancy in the requested document relative to the base document. One skilled in the art will understand that the term “relative” refers to a comparison of the requested document and the base document to determine any redundancies in the requested document. Exemplary implementations relevant to this element are also described in pages 2-4 of the specification. Based on the foregoing, the term “relative” is not indefinite because one of ordinary skill in the art would understand what is claimed, in light of the specification.

The term “relative” is also similarly recited in claims 23, 32, and 36-37. Thus, Applicant respectfully submits that the use of the term “relative” in claims 1, 23, 32, and 36-37 does not render the claims indefinite and requests the Examiner to withdraw these rejections.

The Examiner also stated that “it is not clear if the base document is part of the condensed document since only the condensed document is transmitted to said user.” As the plain language of claim 1 recites, element (e) only requires the transmission of the condensed document to the user. Thus, Applicant respectfully submits that element (e) is not unclear and requests that the Examiner withdraw this rejection.

II. 35 U.S.C. §112, First Paragraph, Rejections

The Examiner rejected claims 40-41 as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art. Claims 40-41 have been canceled and these rejections are now moot.

III. 35 U.S.C. §102 Rejections

Claims 1-41 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,178,461 issued to Chan ("CHAN"). Claims 40-41 are canceled. Claims 1-39 are pending.

Applicant hereby expressly disclaims all arguments and amendments made by the prior attorney of record with respect to the 35 U.S.C. §102 rejections in a response to the Office Action mailed on January 14, 2004. The claims have been amended to delete all such prior amendments.

A. Claim 1

It is axiomatic that the cited references in a §102 rejection must disclose every element in the rejected claim. MPEP 2143.03. Claim 1 recites a method for improving network efficiency, comprising the steps of:

- (a) at a condenser located between a content server and a user connected to said content server over a network:
 - (i) receiving a user's request for a document,
 - (ii) said requested document being referencable with respect to a base document associated with a class;
- (b) automatically determining said class based on a URL of said requested document in said user's request;
- (c) automatically obtaining said base document associated with said class;
- (d) creating a condensed document by abbreviating redundancy in said requested document relative to said base document; and
- (e) transmitting said condensed document to said user to enable said user to reconstruct said requested document.

As demonstrated below, Applicant respectfully submits that CHAN does not disclose or suggest multiple steps as recited in claim 1.

1. Overview

CHAN discloses a “cache-based compaction technique” in which a requested object is encoded by a server using information relating to similar objects that were previously cached at the user. CHAN, col. 2, line 66-col. 3, line 2. Specifically, the client initiates the process by making a request. In Chan, the user’s request includes the name of the requested object (e.g., URL) and the names of the similar objects previously cached at the user. CHAN, col. 5, lines 58-61. The server receiving the user’s request uses the name of the requested object to locate the requested object (either in its own cache or from an origin server) and uses the names of the similar objects to locate one or more similar objects at the server’s own cache. CHAN, col. 6, lines 15-22. Based on the requested object and the similar objects, the server creates an encoded object which is more compact than the requested object. CHAN, col. 6, lines 44-47. The server then sends the encoded object to the user who then decodes it based on the similar objects previously cached at the user. CHAN, col. 3, lines 16-20.

2. CHAN Fails to Disclose or Suggest the Steps of Automatically Determining Said Class Based on A URL of Said Requested Document in Said User’s Request and Automatically Obtaining Said Base Document Associated With Said Class

Amended claim 1 recites the steps of automatically determining said class based on a URL of said requested document in said user’s request and automatically obtaining said base document associated with said class.

In CHAN, the user’s request includes a URL of the requested object and names of similar objects. CHAN, col. 5, lines 58-61. The server uses the names of similar objects to locate similar objects at the server’s own cache. CHAN, col. 6, lines 15-22. CHAN requires sending separate names of the similar objects in addition to sending the URL of the requested object. In CHAN, only the separate names of the similar objects (not the URL of the requested object) are used to determine the similar objects. Further, CHAN does not determine a class. Even if CHAN’s “similar

objects” are implicitly interpreted as a class (an interpretation not supported in the CHAN patent), the similar objects have nothing to do with the URL of the requested object in the user’s request.

In contrast, in claim 1, a class is determined based on a URL of the requested document in the user’s request. The determined class is then used to obtain a base document for condensing the requested document. The user’s request in claim 1 need not include information other than the URL of the requested document for purposes of condensing the requested document.

Based on the foregoing, Applicant believes that claim 1 is now in condition for allowance.

B. Claims 23, 32, 36 and 37

Independent claims 23, 32, 36 and 37 have been amended to recite similar limitations regarding determination of a class as in claim 1. Based on the foregoing, these independent claims should also be in condition for allowance.

C. Claims 2-22, 24-31, 33-35, 38-39

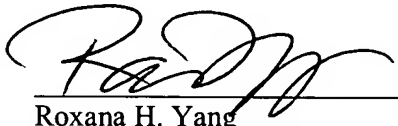
Claims 2-22, 24-31, 33-35, & 38-39 are dependent upon independent claims 1, 23, 32 & 37 respectively. Based on the foregoing, these dependent claims should also be in condition for allowance.

II. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

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